

LEGISLATURE OF NEBRASKA

NINETY-NINTH LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 861**

Introduced by Howard, 9; Cornett, 45

Read first time January 5, 2006

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections 60-301,  
2 60-3,104, and 60-3,159, Revised Statutes Supplement,  
3 2005; to provide for resident home-on-leave license  
4 plates; to provide fees; to provide for prorating  
5 motor vehicle registration fees for certain residents;  
6 to harmonize provisions; to provide an operative date;  
7 and to repeal the original sections.

8 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 60-301, Revised Statutes Supplement,  
2   2005, is amended to read:

3           60-301 Sections 60-301 to 60-3,220 and section 3 of  
4   this act shall be known and may be cited as the Motor Vehicle  
5   Registration Act.

6           Sec. 2. Section 60-3,104, Revised Statutes Supplement,  
7   2005, is amended to read:

8           60-3,104 The department shall issue the following types  
9   of license plates:

10           (1) Amateur radio station license plates issued pursuant  
11   to section 60-3,126;

12           (2) Boat dealer license plates issued pursuant to section  
13   60-379;

14           (3) Bus license plates issued pursuant to section  
15   60-3,144;

16           (4) Commercial truck and truck-tractor license plates  
17   issued pursuant to section 60-3,147;

18           (5) Dealer or manufacturer license plates issued pursuant  
19   to sections 60-3,114 and 60-3,115;

20           (6) Disabled veteran license plates issued pursuant to  
21   section 60-3,124;

22           (7) Farm trailer license plates issued pursuant to  
23   section 60-3,151;

24           (8) Farm truck license plates issued pursuant to section  
25   60-3,146;

1           (9) Farm trucks with a gross weight of over sixteen tons  
2 license plates issued pursuant to section 60-3,146;

3           (10) Fertilizer trailer license plates issued pursuant to  
4 section 60-3,151;

5           (11) Film vehicle license plates issued pursuant to  
6 section 60-383;

7           (12) Fleets of apportionable commercial vehicles license  
8 plates issued pursuant to section 60-3,203;

9           (13) Handicapped or disabled person license plates issued  
10 pursuant to section 60-3,113;

11           (14) Historical vehicle license plates issued pursuant to  
12 sections 60-3,130 to 60-3,134;

13           (15) Local truck license plates issued pursuant to  
14 section 60-3,145;

15           (16) Motor vehicle license plates for motor vehicles  
16 owned or operated by the state, counties, municipalities, or school  
17 districts issued pursuant to section 60-3,105;

18           (17) Motor vehicles exempt pursuant to section 60-3,107;

19           (18) Motorcycle license plates issued pursuant to section  
20 60-3,100;

21           (19) Nebraska Cornhusker Spirit Plates issued pursuant to  
22 sections 60-3,127 to 60-3,129;

23           (20) Nonresident owner thirty-day license plates issued  
24 pursuant to section 60-382;

25           (21) Passenger car having a seating capacity of ten

1 persons or less and not used for hire issued pursuant to section  
2 60-3,100;

3 (22) Passenger car having a seating capacity of ten  
4 persons or less and used for hire issued pursuant to section  
5 60-3,100;

6 (23) Pearl Harbor license plates issued pursuant to  
7 section 60-3,122;

8 (24) Personal-use dealer license plates issued pursuant  
9 to section 60-3,116;

10 (25) Personalized message license plates for motor  
11 vehicles and cabin trailers, except commercial trucks registered  
12 for over ten tons gross weight, issued pursuant to sections  
13 60-3,118 to 60-3,121;

14 (26) Prisoner-of-war license plates issued pursuant to  
15 section 60-3,123;

16 (27) Purple Heart license plates issued pursuant to  
17 section 60-3,125;

18 (28) Recreational vehicle license plates issued pursuant  
19 to section 60-3,151;

20 (29) Repossession license plates issued pursuant to  
21 section 60-375;

22 (30) Resident home-on-leave license plates issued  
23 pursuant to section 3 of this act;

24 (31) Trailer license plates issued for trailers owned  
25 or operated by the state, counties, municipalities, or school

1 districts issued pursuant to section 60-3,106;

2 ~~(31)~~ (32) Trailer license plates issued pursuant to  
3 section 60-3,100;

4 ~~(32)~~ (33) Trailers exempt pursuant to section 60-3,108;

5 ~~(33)~~ (34) Transporter license plates issued pursuant to  
6 section 60-378;

7 ~~(34)~~ (35) Trucks or combinations of trucks,  
8 truck-tractors or trailers which are not for hire and  
9 engaged in soil and water conservation work and used for the  
10 purpose of transporting pipe and equipment exclusively used by such  
11 contractors for soil and water conservation construction license  
12 plates issued pursuant to section 60-3,149;

13 ~~(35)~~ (36) Utility trailer license plates issued pursuant  
14 to section 60-3,151; and

15 ~~(36)~~ (37) Well-boring apparatus and well-servicing  
16 equipment license plates issued pursuant to section 60-3,109.

17 Sec. 3. (1) Any resident of this state who is the owner  
18 of a motor vehicle or trailer required to be registered in this  
19 state may apply for and obtain resident home-on-leave license  
20 plates which allow such person to operate such motor vehicle or tow  
21 such trailer on the highways of this state while in Nebraska on  
22 leave from military service.

23 (2) An application for resident home-on-leave license  
24 plates shall be made to the county treasurer or designated county  
25 official of the county in which such motor vehicle or trailer

1 has situs. The license plates shall be valid for a period of  
2 thirty days and shall be attached in the same manner as regular  
3 license plates. The fee shall be equivalent to one-twelfth of  
4 the annual registration fee for the type of motor vehicle or  
5 trailer being registered. Such fees and taxes shall be collected  
6 and distributed in the same manner as other motor vehicle fees and  
7 taxes. Upon receipt of such application, presentation of military  
8 orders showing his or her temporary leave status, and payment of  
9 the fees, the county treasurer or designated county official shall  
10 issue to such applicant resident home-on-leave license plates.

11 (3) Resident home-on-leave license plates shall be the  
12 same size and of the same basic design as regular license plates  
13 issued pursuant to section 60-3,100. The department shall design  
14 the plates using the phrase "Resident Home on Leave" on the plates.

15 (4) The application shall include an affidavit that the  
16 motor vehicle or trailer is not being operated or towed on the  
17 highways of this state during any other portion of the registration  
18 period.

19 Sec. 4. Section 60-3,159, Revised Statutes Supplement,  
20 2005, is amended to read:

21 60-3,159 (1) Except as provided in subsection (2) of  
22 this section, upon ~~Upon~~ application to register any motor vehicle  
23 or trailer, no registration fee shall be required to be paid  
24 thereon for any previous registration period during which such  
25 motor vehicle or trailer was not at any time ~~driven or used~~

1 operated or towed upon any highway within this state, and the  
2 person desiring to register such motor vehicle or trailer without  
3 payment of fees for previous registration periods shall file with  
4 the county treasurer or designated county official an affidavit  
5 showing where, when, and for how long such motor vehicle or trailer  
6 was stored and that the same was not used in this state during such  
7 registration period or periods, and upon receipt thereof the county  
8 treasurer or designated county official shall issue a registration  
9 certificate.

10 (2) Registration fees may be prorated for a portion of a  
11 registration period during which a person was not in Nebraska and  
12 his or her motor vehicle was not operated or trailer was not towed  
13 upon any highway of this state at any time during such portion of  
14 the registration period if such person was not in Nebraska due to  
15 military service and he or she presents to the county treasurer  
16 or designated county official the military orders related to such  
17 absence and an affidavit stating where, when, and for how long  
18 such motor vehicle or trailer was stored and that the motor vehicle  
19 was not operated or the trailer was not towed upon any highway in  
20 this state during such portion of the registration period. The fees  
21 shall be prorated based on the date of return shown on the military  
22 orders.

23 Sec. 5. This act becomes operative on January 1, 2007.

24 Sec. 6. Original sections 60-301, 60-3,104, and 60-3,159,  
25 Revised Statutes Supplement, 2005, are repealed.